

CHAPTER 6

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MANUAL OF SENATE PROCEDURES

Introduction This manual, prepared for new members of the Senate, is intended to provide an introduction to the most common Senate floor procedures. It offers examples of dialog used to transact routine legislative business. Commentary is provided on the right-side page beside the dialog to which it relates, or within brackets under it.

Details on procedures are in the Senate Rules. Major rules of the Senate that govern floor procedure in the 93rd General Assembly are cited in endnotes following this manual. A few procedural requirements are imposed by the Illinois Constitution. Where these sources do not specifically cover a point, *Robert's Rules of Order* is used as a parliamentary authority. In addition, some unwritten traditions and practices have developed over the years. The most important of them are reflected in this manual.

This 2004 revision reflects the 93rd General Assembly Senate Rules.

PRELIMINARY MATTERS

Call to Order, Invocation, Pledge of Allegiance

- President: The hour of noon having arrived, the Senate will come to order. We will be led in prayer today by the Reverend _____. Will our guests in the galleries please rise. [Prayer]
- President: Senator _____ will lead us in the pledge of allegiance.
- Senator: [Leads pledge]

Approving Printed Journal

- President: Reading of the Journal.
- Secretary: [Gives date of latest Journal that has been printed.]
- President: Senator _____.
- Senator: Mr. President, I move that the Journal just read by the Secretary be approved, unless some senator has additions or corrections.
- President: Are there additions or corrections? You've heard the motion. All in favor say aye; opposed nay. The ayes have it. The Journal is approved. Senator _____.
- Senator: Mr. President, I move that reading and approval of the Journal of _____ be postponed until arrival of the printed Journal.
- President: All in favor say aye; all opposed nay. . . . The ayes have it.

BILLS

Introduction and First Reading

- President: Introduction and First Reading of Senate Bills.
- Secretary: Senate Bill 3001; by the President and Minority Leader. A bill for an Act making a supplemental appropriation for the printing of bills. First reading of the bill. Senate Bill 3002; by Senator _____. A bill for an Act to regulate _____.
- [The bills are automatically referred to the Rules Committee under Rule 3-8.]

COMMENTARY

Order of Business

Senate Rule 4-4 establishes the daily order of business. This order is followed unless decided otherwise by the Presiding Officer, who can decide the order of business before the Senate.¹

First Reading of Bills

Bills and resolutions are filed with the Secretary of the Senate, who assigns each a number in the order in which it is filed. When this order of business is called, they are introduced and read a first time by number, sponsor, and title, ordered printed, and referred to the Rules Committee, which may then assign them to substantive committees for hearing.²

Bills (cont'd)

Second Reading

President: Senate Bills on Second Reading. Senate Bill 1251. Read the bill, Madame Secretary.

Secretary: Senate Bill 1251. A bill for an Act to amend section 7-10 of the Election Code. Second Reading of the bill. Amendment No. 1 adopted in Committee.

President: Any further amendments approved for consideration?

Secretary: Amendment No. 2, offered by Senator _____.

President: Senator _____.

Senator Smith: [Explains amendment, argues for adoption.]

President: The motion is to adopt Amendment 2. Those in favor say aye; opposed nay. The ayes have it. Amendment No. 2 is adopted. Further amendments?

Secretary: No further amendments reported.

President: Third Reading.

COMMENTARY

Amendments

An amendment can be offered either while the bill is in committee (a “committee amendment”) or on the floor while its bill is on Second Reading (a “floor amendment”). However, a floor amendment can be considered only if it has first been approved by a committee as described below. Wherever they are offered, proposed amendments to a given bill are numbered in a single sequence, and the number of each proposed amendment stays the same regardless of what happens to it or other amendments.

Committee Amendments

Only the principal sponsor of a bill, or a member of the committee that is considering it, can offer an amendment to it in committee. Amending a bill in committee requires the favorable votes of a majority of all members appointed to the committee.³ If a bill is voted “do pass as amended” in committee, it goes to the floor with the committee amendment(s) still as separate documents, but already adopted.⁴

Floor Procedure for Amendments

Committee amendments are normally not debated on the floor, since they have already been adopted in committee. But a member can move on the floor to table a committee amendment, deleting it from the bill. Such tabling requires only a majority of those present and voting.⁵

After any motions to table committee amendments are disposed of, the Senate can consider any floor amendments. No floor amendment is in order unless it has first been approved by the Rules Committee, or by a substantive committee to which it was referred by the Rules Committee⁶ (unless it has been discharged from that Committee⁷). The vote required to adopt a floor amendment is a simple majority of those present and voting.⁸

Advancing Bills to Third Reading

After all amendments offered are disposed of, by votes or withdrawal, the Presiding Officer always orders the bill advanced to the order of Third Reading. There it will appear on the calendar the next legislative day, when it can be called for passage.

DEBATE ON BILLS

Third Reading

President: Senate Bills on Third Reading. [Rings a bell in the Senate chamber to alert senators to Third Reading—passage stage.] Senate Bill 751.

[Secretary reads bill by number and title.]

Senator _____ [sponsor] is recognized.

Sponsor: Mr. President, ladies and gentlemen of the Senate . . . [Explains and opens debate on bill.]

Question of the Sponsor

Senator: Will the sponsor yield?

Sponsor: [Nods assent.]

President: She indicates she will yield.

Senator: Thank you. Senator _____, will this bill _____?

[Any other senator may obtain recognition to debate the bill.]

Senator: Mr. President, I would like to speak on the bill.

President: You may proceed.

Closing Debate

President: Is there further discussion? Senator _____ [sponsor] is recognized to close.

Sponsor: [Closes Debate.] . . . I ask for a favorable roll call on this bill.

[Or if debate has continued a considerable time, any senator except the sponsor may “move the previous question” to cut off debate. This motion is nondebatable.]

Senator: Mr. President, I move the previous question.

President: The senator has moved the previous question. The question is: “Shall the main question now be put?”

All those in favor vote aye; opposed vote no. . . .

COMMENTARY

Debate

Matters are placed before the Senate either by motion of a senator, or by being called by the Presiding Officer on a regular order of business such as “Senate bills on Third Reading.”

The sponsor of the bill or resolution is always recognized to present the proposal (or the maker of a motion to state the motion and argue it). Other senators can then speak to the merits of the question under debate, unless it is a nondebatable motion under *Robert’s Rules of Order* or the Senate Rules. No senator may speak more than 5 minutes on a question unless the Senate gives consent. No senator may speak more than twice on the same question, nor more than once until all other senators seeking to speak have spoken.⁹

A senator who seeks to ask the sponsor a question about a bill must address the Chair and ask whether the sponsor will yield. Senators may ask questions of the sponsor only if the sponsor yields. However, such questions of sponsors are routine, and it is extremely rare for a sponsor to decline to answer a question.

The Debate Timer

The Senate has an automatic debate timer with a green, yellow, and red light above the President’s rostrum, connected to a clock. The lights are visible to senators.

Use of the system is optional with the Presiding Officer, who has the controls at his console. When used, the timer is started by the Presiding Officer when a senator is recognized. (The allotted time is set on the console.) The green light is on until the last minute of the allotted time, when the yellow light shows. The red light comes on when the time has expired.

The Presiding Officer then interrupts if necessary and directs the senator to finish. The Presiding Officer can disconnect the microphone when the time is expired.

Closing Debate

Any senator who thinks debate has gone on long enough can “move the previous question” (the one last put to the body—in this case, whether the bill should pass). This motion itself is nondebatable, and requires 30 votes to pass—although roll calls on such motions are rarely taken. If it succeeds, the bill is put to a vote after any senators who had sought recognition before the motion have been recognized. If a motion for the previous question fails, debate on the bill continues.¹⁰

ROUNDING UP VOTES

Voting Procedure for Roll-Call Votes

President: The question is: “Shall _____ pass?” All in favor vote aye; all opposed vote no. Voting is open.

[Voting board is opened by Secretary; the bell rings; senators can begin voting.]

Have all voted who wish? Have all voted who wish? Take the record.

[Votes on the voting board are frozen.]

On this question there are ____ ayes, ____ nos, ____ voting present, and this bill, having received (failed to receive) a constitutional majority, is hereby declared passed (lost).

[Announcement of the numerical vote precedes announcement of the result.]

Verification

President: For what purpose does Senator Adams [an opponent of the measure] arise?

Senator Adams: Mr. President, I request a verification of the affirmative vote.

President: A verification has been requested. The senators will please be in their seats. The Secretary will read the affirmative votes.

[Secretary reads names of all senators recorded as voting “aye.”]

President: Senator Adams, are there challenges to the aye vote?

Senator Adams: Senator _____.

President: Senator _____ is in his seat.

Senator Carter: Senator _____.

President: Senator _____ is not in her seat. Is Senator _____ in the chamber? Senator _____ is not in the chamber. Madame Secretary, take her off the roll.

Are there further challenges? If not, the vote is ____ ayes, ____ nos, and ____ voting present; and this bill, having received a constitutional majority, is hereby declared passed.

COMMENTARY

Use of Roll Calls

Roll-call votes (normally using the electronic voting system) are required for final passage of all bills. This includes votes on concurrence with amendments from the House, adoption of conference committee reports, and all dispositions of vetoed bills. Resolutions to amend the Constitution and other substantive resolutions also require roll calls.

Voice votes (in which all senators favoring a proposition say “aye” together, and all who oppose it say “nay” together) are used for other motions and procedures, unless the Rules require a specific number of votes—usually a “constitutional majority” (30) or a three-fifths majority (36). In those cases, a roll call must be used to prove that enough “aye” votes were cast.

Any two senators may request a roll call if none is required by the Constitution or Senate Rules. The Presiding Officer can also order a roll-call vote.¹¹

Verification

If a measure passes, and before any other business has been taken up, any senator may require verification to insure the actual presence of those who were recorded as voting for it. While verification is taking place, any senator can announce his or her presence on the floor and be verified as having voted. But no vote may be cast, or changed, during verification.¹²

Rounding Up Votes (cont'd)

Postponed Consideration

President: On this question there are ____ ayes, ____ nos, ____ voting present, and this bill having failed—Senator _____ [the sponsor].

Senator: Mr. President, I request that this bill be placed on Postponed Consideration.

President: The bill, having received at least 24 affirmative votes, will be placed on Postponed Consideration.

INTERRUPTING PROCEEDINGS

Recognition Out of Pending Order

President: For what purpose does Senator _____ rise?

Senator: Mr. President, ladies and gentlemen of the Senate, I rise to

Recognition During Debate

President: Senator _____ is recognized on Senate Bill _____.

Senator: Mr. President, ladies and gentlemen of the Senate, I rise in support of (in opposition to)

[A senator may seek recognition or interrupt debate on the floor by rising and addressing the Presiding Officer. The Presiding Officer determines who may speak first. The Presiding Officer inquires for what purpose the senator rises, to determine the precedence of the motions. A senator who has the floor may be interrupted for the following purposes:]

Point of Personal Privilege

Senator Baker: Mr. President.

President: For what purpose does Senator Baker rise?

Senator Baker: I rise on a point of personal privilege.

President: State the point of privilege.

Senator Baker: I would like to apologize to one of my colleagues for a statement I made in debate [for example]

COMMENTARY

Postponed Consideration

If a bill fails to pass, but gets at least 24 “aye” votes, the principal sponsor can request that consideration be postponed. It is the sponsor’s privilege.¹³ The sponsor must make the request before the result is announced.¹⁴

If consideration is postponed, no official roll call is recorded. The bill goes on the order of Postponed Consideration, and cannot again be postponed.¹⁵

Obtaining Recognition

Senators address the Senate only when recognized by the Presiding Officer. (The Presiding Officer is always addressed as Mr. (or Madam) President.) The microphones are controlled by the Senate electrician, who turns them on and off in accordance with the Presiding Officer’s recognition.

To obtain recognition, a senator presses the “speak” button on the desk, causing a light to flash on the President’s console.

A senator interrupting an item of business should always state the reason for interrupting before actually making a procedural point, objection, or motion. This helps the other senators follow the events. It also saves time by permitting an objection to be voiced, or permitting the Presiding Officer to rule the senator in or out of order with a minimum of distraction.

The Rules say that questions “affecting the rights, reputation, and conduct of members of the Senate in their representative capacity” are matters of personal privilege.¹⁶

Returning Bills to Second Reading

Sometimes a bill already on the order of Third Reading requires an amendment, in which case the sponsor must seek to have the bill returned to the order of Second Reading for that purpose. The sponsor must first obtain approval by the Rules Committee (or a substantive committee to which the Rules Committee refers it). If that is done, the Presiding Officer will ask whether the sponsor would like to seek leave to return it to the order of Second Reading for the purpose of amendment.

Interrupting Proceedings (cont'd)

Point of Order

A point of order may be raised at any time by any senator and requires an immediate ruling. It is not a motion and is not debatable.

Senator: Mr. President.

President: For what purpose does Senator _____ rise?

Senator: I rise on a point of order.

President: State your point.

Senator: There is no fiscal note with this bill, and I object to its consideration until the rule is complied with.

[for example, or]

The amendment is not germane to the bill.

[The President then rules on the point of order and may state the reason.]

President: The amendment has not been printed. Take the bill out of the record.

[or]

The point is well taken (or not well taken).

Appeal Ruling of the Chair

Any senator may appeal the ruling of the Chair on a point of order. This motion requires a second, and must be made before the Senate has conducted any intervening business. Such a motion is not taken lightly, since it may be considered a personal affront to the Presiding Officer. It may be used occasionally to highlight frustration at being in a minority position, or to make a point to the press. Overruling the Chair requires 36 votes.¹⁷

Senator: Mr. President, I appeal the ruling of the Chair. [Explains.]

President: The question is, "Shall the ruling of the Chair be sustained?" All those in favor vote aye; those opposed vote no. . . .

[Announces result.]

Interrupting Proceedings (cont'd)

Parliamentary Inquiry

A senator who wants information about the question being discussed may request the floor for a parliamentary inquiry. It is not a motion, but only a request for information, so is not debatable or amendable.

Senator: Mr. President.

President: For what purpose does Senator _____ rise?

Senator: I rise on a point of parliamentary inquiry.

[or]

I rise on a point of information.

President: State your point.

Senator: Mr. President, I would like to be advised by the Chair what the required vote is on the question.

[or]

Mr. President, does the amendment offered conflict with the amendment just adopted?

Motion for Previous Question

This motion, to end debate, is not debatable and requires 30 votes to pass.¹⁸

Senator: Mr. President.

President: For what purpose does Senator _____ rise?

Senator: I move the previous question.

President: The question is whether the main question shall be put. All those in favor vote aye; all opposed vote no. . . . The motion is carried. [Proceeds to hold vote on the main question.]

[or]

The motion is lost. Is there any further discussion?

FREQUENT MOTIONS

Motions (except to adjourn, recess, or postpone consideration) must be made in writing if the Presiding Officer so requires. As noted below, some kinds of motions are almost always required to be made in writing. The Presiding Officer may also refer a motion to the Rules Committee.¹⁹

Change Sponsorship

This motion is nearly always made in writing on a form filed with the Secretary.

Senator: Mr. President, I ask leave to have my name removed as cosponsor of Senate Bill 1502.

President: Does the gentleman have leave to have his name removed as a sponsor to Senate Bill 1502?

Senators: [Indicate assent.]

Table a Bill

Senator: Mr. President, I move to table Senate Bill 3001.

President: The gentleman moves to table Senate Bill 3001. Is leave granted?

Senators: [Indicate assent.]
[Note: A *committee* bill can be tabled only with 30 votes.²⁰]

Suspend a Rule

A motion or request to suspend a rule must specify the rule sought to be suspended. The movant should state the reason for seeking suspension. A rule can be suspended with unanimous consent of members present, or with 30 votes—unless the rule involved requires a higher number.²¹ A motion to suspend a rule should generally be put in writing, except motions to suspend Rule 3-6(a) for immediate consideration of a death or adjournment resolution.

Senator: Mr. President, I move to suspend Rule 3-6(a) for the purpose of _____.

President: The lady has moved to suspend Rule 3-6(a) for the purpose of _____. Are there any objections?

[If there is an objection, the motion must be put to a vote.²²]

President: The lady has moved the suspension of Rule 7-17. This motion requires 36 votes. Those in favor please signify by voting aye; those opposed vote no. . . . The rule is suspended.

Discharge Committee

This motion requires 36 votes and is normally required to be put in writing.²³

Senator: Mr. President, I move that the _____ committee be discharged from further consideration of Senate Bill 2502 and that the bill be placed on the calendar on the order of Second Reading.

Frequent Motions (cont'd)

President: The question is whether the _____ committee be discharged from further consideration of Senate Bill 2502. Those in favor signify by voting aye; opposed vote no. . . .

Take From Table and Put on Calendar

This motion requires 30 votes if the Rules Committee has recommended it in writing; otherwise it requires 36 votes.²⁴ It is normally required to be made in writing.

Senator: Mr. President, I move to take Senate Bill 1234 from the table and place it on the calendar on the order of Second (or Third) Reading.

President: The gentleman has moved that Senate Bill 1234 be taken from the table and placed on the calendar on the order of Second (Third) Reading. The question is on the motion. Those in favor signify by voting aye; opposed vote no. The ayes are _____, the nos are _____. The motion is carried (or lost).

Reconsider a Vote

This motion is normally required to be made in writing.

President: For what purpose does Senator _____ rise?

Senator: Mr. President, having voted on the prevailing side, I move that the vote by which the amendment (or bill) was adopted (passed) be reconsidered.

President: The question is on the motion to reconsider. Those in favor signify by voting aye; those opposed vote no. The motion prevails. The vote will be reconsidered.

[If a motion to reconsider a vote is made within the allowed time, the bill remains in the Senate until the motion has been decided, withdrawn, or tabled.²⁵]

Technique to Prevent a Vote From Being Considered Again

Senator: Having voted on the prevailing side, I now move that the vote by which the amendment (or bill) was adopted (passed) be reconsidered.

Other Senator: I move that the motion lie upon the table.

President: Senator _____ moves that the vote by which the amendment (bill) was adopted be reconsidered. Senator _____ moves that the motion lie upon the table. The question is on the motion to table. Those in favor will signify by voting aye; those opposed vote no. The motion to table prevails (or fails).

[This technique prevents a vote from being considered again, because no more motions to reconsider can be entertained if a first one has been tabled.²⁶]

JOINT ACTION BETWEEN THE HOUSES

House Bills

House bills arriving in the Senate are read a first time and referred to the Rules Committee like Senate bills.²⁷ Their House sponsors must find sponsors for them in the Senate, just as Senate sponsors must in the House.

Procedures on Second and Third Reading are the same as for Senate bills. But the deadlines in the spring legislative session allow House bills to be heard in the Senate later than Senate bills, since Senate bills need to be passed and sent to the House in time to be considered there.

Senate Bills Amended in the House

If a bill passes the Senate but is amended in the House, after it returns to the Senate its Senate sponsor can move to concur or non-concur in each House amendment. Each such motion will be referred to the Senate Rules Committee.²⁸

President: On the order of Concurrence. Senate Bill 451. Read the motion, Madame Secretary.

Secretary: Senate Bill 451. The motion to concur in House Amendments 1 and 2 has been filed by Senator _____ and has been approved for consideration.

President: The chair recognizes Senator _____ [Senate sponsor].

Senator: Mr. President, I move that the Senate concur (or refuse to concur) in House Amendments No. 1 and 2 to Senate Bill 451. [Explains House amendments.]

Conference Reports

If the Senate refuses to concur with House amendments, the Senate will ask the House to recede from those amendments. If the House refuses, the sponsor of the bill can ask for appointment of a conference committee. The conference committee has five members from each house—three of the majority and two of the minority party. Conference Committee reports are automatically sent to the Rules Committee, which may refer them to substantive committees.²⁹

President: Do you have on file a Conference Committee Report with respect to S.B. 301?

Secretary: 1st Conference Committee Report on S.B. 301.

President: The chair recognizes Senator _____ [Senate sponsor].

Member: Mr. President, I move that the Senate adopt the Conference Committee Report on Senate Bill 301.

[If the conference committee report is not adopted, a second conference committee may be appointed and the above process repeated. If a second conference committee is unsuccessful, the bill is dead.³⁰]

RESOLUTIONS

Constitutional Amendment

Constitutional amendment resolutions require action by both houses, but do not go to the Governor. Procedurally they are handled much like bills.³¹

Included in this category are the following actions, all done by joint resolution:

- Proposed amendments to the Illinois Constitution.
- Calls for an Illinois constitutional convention.
- Ratification of amendments to the U.S. Constitution proposed by Congress.
- Petitions to Congress to call a U.S. constitutional convention.

General

Other kinds of resolutions address housekeeping matters such as setting the time for the next week's session (the adjournment resolution); creating special committees or task forces; urging Congress to do or not to do something; requesting investigations or audits; or making sense-of-the-Senate pronouncements on public issues. Except for adjournment resolutions, these are not "agreed resolutions" and normally are sent to the Rules Committee. If the Rules Committee determines that a resolution is nonsubstantive, commemorative, or congratulatory, it is returned to the sponsor to be treated as a certificate of recognition.³²

Resolutions usually require only a simple majority vote. But the Rules require 30 votes to pass any resolution that would require spending of state funds,³³ and 36 votes to pass a resolution related to amending the U.S. Constitution.³⁴ In addition, the Illinois Constitution requires the vote of three-fifths of members elected (36) to propose to the voters an amendment to the Illinois Constitution.³⁵ Roll calls are required in all these cases.

President: Senator _____ is recognized in regard to Senate Resolution 186.

Sponsor: I move to suspend Rule 3-6 for the immediate consideration of Senate Resolution 186. The subject of the resolution is

President: The question is on the suspension of Rule 3-6 for immediate consideration of Senate Resolution 186. Those in favor signify by voting aye; those opposed vote no.

[Unless that rule is suspended, the resolution is sent to the Rules Committee. If the rule is suspended, the following dialog may occur.]

Senator: I move adoption of Senate Resolution 186. [Explains resolution.]

President: The gentleman offers and moves the adoption of Senate Resolution 186. The question is on the motion. Those in favor signify by voting aye; those opposed vote no. The resolution is adopted (or lost).

Resolutions (cont'd)

Death

Resolutions mourning the death of a person are treated like agreed resolutions but are handled at a separate time for the sake of dignity. Death resolutions for former senators and other state officers are traditionally taken up as the last item of business of the day. The death resolution is read in full by the Secretary, and the Presiding Officer asks that all who are in favor of the resolution rise to adopt the resolution. The Senate then adjourns.

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| Notes | <ol style="list-style-type: none"> 1. Senate Rules 2-5(c)(3) and (18), and 4-4 (introductory clause), 93rd General Assembly. 2. Senate Rule 3-8(a), 93rd General Assembly. 3. Senate Rule 5-4(b), 93rd General Assembly. 4. Senate Rule 5-4(g), 93rd General Assembly. 5. Senate Rules 7-10(d) and 1-9, 93rd General Assembly. 6. Senate Rule 3-8(b), 93rd General Assembly. 7. Senate Rules 5-4(e) and 7-9, 93rd General Assembly. 8. Senate Rules 5-4(b) and 1-9, 93rd General Assembly. 9. Senate Rule 7-3(g), 93rd General Assembly. 10. Senate Rule 7-8, 93rd General Assembly. 11. Senate Rule 7-1, 93rd General Assembly. 12. Senate Rule 7-6, 93rd General Assembly. 13. Senate Rule 7-12, 93rd General Assembly. 14. See Senate Rule 7-2, 93rd General Assembly. 15. Senate Rule 7-12, 93rd General Assembly. 16. Senate Rule 7-3(b), 93rd General Assembly. 17. Senate Rule 7-7(a), 93rd General Assembly. 18. Senate Rule 7-8(a), 93rd General Assembly. 19. Senate Rule 7-4(1), 93rd General Assembly. 20. Senate Rule 7-10(b), 93rd General Assembly. 21. Senate Rule 7-17(d), 93rd General Assembly. 22. Senate Rule 7-17(d), 93rd General Assembly. 23. Senate Rule 7-9(a), 93rd General Assembly. 24. Senate Rule 7-11(a), 93rd General Assembly. 25. Senate Rule 7-15(d), 93rd General Assembly. 26. Senate Rule 7-15(c), 93rd General Assembly. 27. Senate Rules 3-8(a) and 5-1(d), 93rd General Assembly. 28. Senate Rules 3-8(b) and 8-1(a), 93rd General Assembly. See also Senate Rule 1-6, 93rd General Assembly. 29. Senate Rule 3-8(b), 93rd General Assembly. 30. Senate Rule 8-5(b), 93rd General Assembly. 31. Senate Rule 6-2, 93rd General Assembly. 32. Senate Rule 3-6(a), 93rd General Assembly. 33. Senate Rule 6-1(b), 93rd General Assembly. 34. Senate Rule 6-3, 93rd General Assembly. 35. Ill. Const., art. 14, subsec. 2(a). |
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